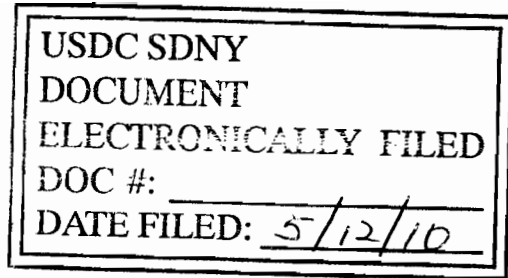


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
ANTHONY D. BURNETT, :  
 :  
 Plaintiff, :  
 :  
 -against- :  
 :  
 ROBERT FEDERICO, :  
 :  
 Defendant. :  
-----X

**SCHEDULING ORDER**

09 Civ. 1738 (HB) (FM)

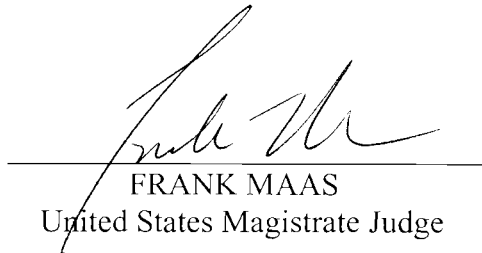
1. Following the defendant's failure to appear, Judge Baer referred this case to me on April 12, 2010, to conduct an inquest. Accordingly, I direct that on or before July 19, 2010, plaintiff serve and file an inquest memorandum, accompanied by supporting affidavits and exhibits, setting forth its proof of damages, including the costs of this action and, if applicable, its reasonable attorney's fees, together with proposed findings of fact and conclusions of law.
2. I further direct that on or before August 2, 2010, defendant serve and file any opposing memoranda, affidavits and exhibits, as well as any alternative findings of fact and conclusions of law. In these papers defendant also must state (a) whether a hearing is requested for the purpose of cross-examining plaintiff's affiants, and (b) whether a hearing is requested for the purpose of calling witnesses (and, if so, the name and address of each witness).
3. Courtesy copies of all papers served and filed in connection with the inquest shall be sent to my Chambers at the United States Courthouse, 500 Pearl Street, New York, New York 10007.
4. The plaintiff may request a hearing within ten business days after defendant's papers are served and filed. If a hearing is requested by any party, the date shall be fixed by the

Court. If no request for a hearing is made by any party, I shall make my report and recommendation on the basis of the papers submitted to me without any oral argument.

5. Any request for an adjournment of any scheduled date must be made in writing at least 48 hours in advance. Telephone requests for adjournments will not be entertained.

SO ORDERED

Dated: New York, New York  
April 30, 2010



FRANK MAAS  
United States Magistrate Judge

Copies to:

Honorable Harold Baer  
United States District Judge

Randall S. Newman, Esq.  
Randall S. Newman, P.C.  
40 Wall Street, 61st Floor  
New York, New York 10005  
Via Facsimile @(212) 797-3172

Robert Federico  
15 Wildflower Lane  
Putnam Valley, New York 10579  
Via Certified Mail